



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Frampton E. Ellis III

Application No.

09/993,665

Filed: November 27, 2001

For: Corrective Shoe Sole Structures Using a
Contour Greater Than the Theoretically Ideal:
Stability Plane

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:
: Group Art Unit:

: 3728

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: Examiner: Anthony Stashick

:
: Attorney Docket No.:

: ANAT-4USDIV5

RESPONSE TO OFFICE ACTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a response to the Office Action dated August 29, 2003, revised to indicate that claims 1-20 have been canceled in response to the Notice of Non-Compliant Amendment dated January 23, 2004. This response is timely filed within the one month period for response set by the Notice of Non-Compliant Amendment.

If any additional fee is due, the Commissioner is authorized to charge Deposit Account No. 50-0462. Moreover, please credit any overpayment to Deposit Account No. 50-0462.

A listing of claims showing amendments begins on page 2 of this paper.

Remarks begin on page 10 of this paper.

CERTIFICATE OF MAILING UNDER 37 CFR 1.8

Date:

1/26/04

I hereby certify that this paper, along with any document or paper referred to as being attached or enclosed, is being sent in a pre-paid envelope first class mail to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

EDNA SCHMITTINGER
Name of person sending correspondence

Edna Schmittinger
Signature of person sending correspondence

3728

#11 / Ratification
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JAN 30 2004
TECHNOLOGY CENTER HS/06